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*Attorneys for Defendants Interstate Battery System of  
America, Inc., and Interstate Battery System International, Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

DENO MILANO,

Plaintiff,

vs.

INTERSTATE BATTERY SYSTEM OF  
AMERICA, INC.; INTERSTATE BATTERY  
SYSTEM INTERNATIONAL, INC.,

Defendants.

Case No. C 10-02125 CW

**STIPULATION TO EXTEND DEADLINES  
AND ~~[PROPOSED]~~ ORDER**

1 Plaintiff Deno Milano and Defendants Interstate Battery System of America, Inc., and Interstate  
2 Battery System International, Inc., by and through the undersigned attorneys, hereby agree and stipulate  
3 as follows:

4 WHEREAS, the Court granted preliminary approval of the parties' Settlement Agreement on  
5 December 1, 2011 (Doc. #62);

6 WHEREAS, the Settlement Agreement contemplates injunctive relief, requiring significant  
7 changes to the Defendants' business practices;

8 WHEREAS, Defendants notified Class Counsel on Thursday, December 16, 2011, of new events  
9 that have called into question Defendants' ability to satisfy a portion of the Settlement Agreement;

10 WHEREAS, the parties are evaluating this new development, and are working together to  
11 determine as soon as practicable whether and how the Settlement Agreement might be modified and  
12 how the settlement approval process should proceed;

13 WHEREAS, the parties respectfully request that all deadlines imposed in the Settlement  
14 Agreement and the Court's preliminary approval order be extended by 60 days; and

15 WHEREAS, should the Court desire, the parties will appear in person or by telephone for a  
16 status conference to discuss their efforts.

17 **IT IS HEREBY STIPULATED AND AGREED**, by and through the undersigned attorneys for  
18 the parties, subject to the Court's approval, that:

- 19 1. All deadlines set in the Settlement Agreement and the Court's preliminary approval order  
20 are extended by 60 days.

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2. The parties shall provide the Court with a further status report no later than January 27, 2012.

**IT IS SO STIPULATED.**

DATED: December 21, 2011

**GIRARD GIBBS LLP**

By: /s/ Eric H. Gibbs

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*Class Counsel*

DATED: December 21, 2011

**JONES DAY**

By: /s/ Jerome R. Doak

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*Attorneys for Defendants*

**PURSUANT TO STIPULATION, IT IS ORDERED.**

Date: 12/22/2011



Judge Claudia Wilken  
United States District Judge